

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 2002-006143

05/07/2003

HONORABLE BRIAN R. HAUSER

CLERK OF THE COURT
E. Morgenstern
Deputy

FILED: 05/13/2003

STATE OF ARIZONA

MARIA Y ARMIJO
JEANNETTE GALLAGHER

v.

TONATIHU AGUILAR

ROBERT L STORRS
BRUCE E BLUMBERG

VICTIM SERVICES DIV-CA-CCC

TRIAL MINUTE ENTRY
DAY 11

State's Attorney:	above-named counsel
Defendant's Attorney:	above-named counsel
Defendant:	Present
Court Reporter:	Melody O'Donnell

10:13 a.m. Trial to Jury continues from May 6, 2003.

The jury is not present.

Final instructions and forms of verdict are settled on the record.

10:18 a.m. The jury is now present in the courtroom.

Defendant's case continues.

Officer John Shadowens is sworn and testifies.

Witness is excused.

Defendant rests.

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The state recalls Detective Joe Petrosino for rebuttal testimony.

Witness is excused.

State rests.

Final instructions are read to the jury.

11:00 a.m. Court stands at recess.

11:27 a.m. Court reconvenes with respective counsel and defendant present. The jury is present.

Court reporter, Melody O'Donnell, is present.

Closing argument is presented.

12:18 p.m. Court stands at recess.

1:47 p.m. Court reconvenes with respective counsel and defendant present. The jury is all present.

Court reporter, Melody O'Donnell, is present.

Closing argument continues.

3:06 p.m. Court stands at recess.

3:24 p.m. Court reconvenes with respective counsel and defendant present. The jury is all present.

Court reporter, Melody O'Donnell, is present.

Closing argument is concluded.

Juror Nos. 4 and 13 are designated by lot as alternates, and are relieved from any further responsibility in this case.

4:13 p.m. The jury retires in charge of sworn bailiffs to deliberate and consider their verdicts.

Defendant moves for a mistrial based on a statement state's counsel made during rebuttal closing argument.

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Argument is presented.

For the reasons set forth on the record,

IT IS ORDERED denying the defendant's motion for mistrial.

4:17 p.m. Court stands at recess.